

### **REMARKS**

On Page 2 of the Office Action, the Examiner indicates that originally filed claims 59-61 have been renumbered as claims 57-59. The discussion hereafter will address these claims as claims 57-59.

The Examiner objects to claims 13 and 41 indicating that, in claim 13, the term "generator" should be "gerotor" and that in claim 41, the last paragraph and a period seem to be missing. Each of these claims has been amended to address these objections.

Claim 41 is directed to an electricity generating system having all of the elements in the first nine subparagraphs of issued claim 1 and further including a fuel pump in fluid communication with the combustor (element of issued claim 11) and a means to modulate the fuel flow if the exhaust temperature exceeds a predetermined maximum temperature for a predetermined period, as discussed in column 4, lines 58-63 and column 11, lines 35-39 of the Specification.

On pages 2-5 of the Office Action, the Examiner identifies twelve Groups I-XII for a restriction and then proceeds to constructively elect the Group I claims 1-18, 41 and 57. It should be noted that although page 2 of the Office Action states that Group I claims are claims 1-14, 41, and 57. This is believed to be a typographical error because the remainder of the Office Action addresses claims 1-18, 41, and 57. The Applicant hereby reserves the right to reinstate non-elected claims 19-40, 42-56, and 58-59 in the event a linking claim is identified and /or reserves the right to file divisional applications to seek patent protection for these claims.

On page 5 of the Office Action, the Examiner rejects claim 57 under 35 U.S.C. §112 first paragraph, as failing to comply with the description, which does not disclose the use of one magnet. Claim 57 has been amended to specify a plurality of magnets.

On page 6 of the Office Action, the Examiner rejects claims 41 and 57 under 35 U.S.C. §102(b) as being anticipated by the teaching of United States Patent No. 3,187,188 to Adkins. The Adkins patent is directed to a high-speed turbo-generator having frequency control characteristics. A servo valve is provided within the fuel supply line and controlled by a speed sensing device to control the turbine speed. Claim 41 has been amended to specify a "means to modulate said fuel flow if the exhaust temperature exceeds a predetermined maximum temperature for a predetermined period." This feature is discussed

in column 4, lines 58-63 and col. 11, lines 35-39 of the Specification and such a feature is neither taught nor suggested by the Adkins patent. Additionally, claim 57 has been amended to include a fluid metering valve, as found in column 5, line 57 through column 6, line 37 of the Specification. This feature is neither taught nor suggested by the Adkins patent. For these reasons, claims 41 and 57 are believed to be patentably distinct over the teaching of this reference. Additionally, new claims 62 and 63 have been added as dependent claims to claim 57 to include additional details of the fluid metering valve and support for these details is also found in column 5, line 57 through column 6, line 37 of the Specification.

On page 6 of the Office Action, the Examiner rejects claim 57 under 35 U.S.C. §102(a) as being anticipated by the teaching of European Patent No. EP 0 742 634 to Bosley (hereinafter the "Bosley patent"). The Bosley patent is directed to a shaft for a bearing turbo-machine, wherein the shaft includes two relatively rigid shafts with a flexible disk therebetween. This compound shaft alters the vibration frequency at different rotational speeds. However, just as with the Adkins patent, the Bosley patent neither teaches nor suggests a fluid metering valve. As mentioned, claim 57 has been amended to include a fluid metering valve as found in column 5, line 57 through column 6, line 37 of the Specification. For that reason, claim 57 is believed to be patentably distinct over the teaching of this reference.

On page 7 of the Office Action, the Examiner rejects claims 10-12, 14, 41 and 57 under 35 U.S.C. §103(a) as being obvious from the teaching of United States Patent No. 3,247,393 to Toesca (hereinafter the "Toesca patent"), in view of the teaching of the Bosley patent. The Toesca patent is directed to an integrated gas turbine generated unit whereby the fuel through passageway 33 controlled by a regulator 38 operated by a knurled knob 46 to increase or decrease the flow of fuel through the passageway 33 into the generator 9. The Bosley patent is directed to a compound shaft for a turbomachine. However, neither of these patents teach or suggest the use of a fuel metering valve. Claim 10 has been amended to highlight this feature and as such, is believed to be patentably distinct over these two references. Support for this amendment is found in column 5, line 57 through column 6, line 37 of the Specification. By way of their dependence upon what is believed to be patentably distinct independent claim 10, dependent claims 11, 12 and 14 are themselves believed to be patentably distinct. Independent claims 41 and 57 have been amended in a similar fashion

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and for the same reason are believed to be patentably distinct over the teaching of these two references. Additionally, new claims 60 and 61 have been added as dependent claim on claim 10 to provide additional details of the fuel metering valve. Support for these details is also found in column 5, line 57 through column 6, line 37 of the Specification.

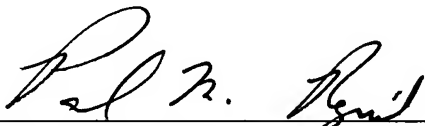
On page 8 of the Office Action, the Examiner rejects claim 13 under 35 U.S.C. §103(a) as being obvious from the teaching of the Toesca patent in view of the teaching of the Bosley patent and further view of the teaching of United States Patent No. 2,966,118 to McAlday. Based upon its dependence upon what is believed to be patentably distinct independent claim 10, dependent claim 13 is itself believed to be patentably distinct over the prior art of record.

The Applicants note that the Examiner has indicated claims 1-9 and 15-18 are allowed.

Reconsideration of claims 10-14, 41 and 57 and allowance of claims 1-18, 41, 57 and 60-63 are respectfully requested.

Respectfully submitted,

THE WEBB LAW FIRM, P.C.

By 

Paul M. Reznick  
Registration No. 33,059  
Attorney for Applicant  
700 Koppers Building  
436 Seventh Avenue  
Pittsburgh, Pennsylvania 15219-1845  
Telephone: 412-471-8815  
Facsimile: 412-471-4094